

ASSEMBLY BILL

No. 2048

Introduced by Assembly Member Silva

February 19, 2008

An act to amend Section 19533 of the Business and Professions Code, relating to horse racing.

LEGISLATIVE COUNSEL'S DIGEST

AB 2048, as introduced, Silva. Horse racing: thoroughbred racing.

Existing law gives the California Horse Racing Board the authority to regulate horse racing and parimutuel wagering on horse races in California. Existing law generally requires that any license granted to an association other than a fair shall be for only a single type of racing, except that the board may authorize the participation of thoroughbred and Appaloosa horses in quarter horse races subject to specified conditions. Existing law also provides that any association licensed to conduct quarter horse racing may apply to the board for, and be granted, the authority to conduct thoroughbred racing as part of its racing program, provided that specified conditions are met, including, among others, that the thoroughbred races are for a claiming price of not more than \$5,000.

This bill would increase the claiming price to not more than \$8,000.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 19533 of the Business and Professions
- 2 Code is amended to read:

1 19533. (a) Any license granted to an association other than a
2 fair shall be only for one type of racing, thoroughbred, harness, or
3 quarter horse racing as the case may be, except that the board may
4 authorize the entering of thoroughbred and Appaloosa horses in
5 quarter horse races at a distance not exceeding five furlongs at
6 quarter horse meetings, mixed breed meetings, and fair meetings.
7 If the board authorizes the entering of thoroughbred or Appaloosa
8 horses in quarter horse races, the following conditions shall be
9 met:

10 (1) Any race written for participation by quarter horses,
11 Appaloosas, and thoroughbreds shall be written as quarter horse
12 preferred.

13 (2) The number of races written as quarter horse preferred at a
14 distance exceeding 870 yards shall not exceed more than three
15 races per program without the consent of the quarter horse
16 horsemen's organization contracting with the association.

17 (3) More than one-half of the races on any program shall be for
18 quarter horses at a distance not to exceed 550 yards, unless the
19 consent of the quarter horse horsemen's organization is received.

20 (4) Mixed races with Appaloosa and quarter horses may only
21 be written with the consent of the quarter horse horsemen's
22 organization contracting with the association.

23 (5) Thoroughbreds shall constitute less than half the number of
24 horses in these races although an exception may be granted on a
25 race-to-race basis with the consent of the quarter horse horsemen's
26 organization contracting with the association.

27 (b) The association that conducts the meeting shall pay to a
28 thoroughbred trainers' organization an amount for a pension plan
29 for backstretch personnel to be administered by that trainers'
30 organization equivalent to 1 percent of the amount available to
31 thoroughbred horses for purses. The remainder of the portion shall
32 be distributed as purses. Any redistributable money paid to the
33 board pursuant to Section 19641, which is paid to a welfare fund
34 established by a horsemen's organization from races with both
35 thoroughbred and quarter horses, shall be divided pro rata between
36 the two welfare funds based on the number of thoroughbreds and
37 quarter horses in the race.

38 (c) (1) Notwithstanding any other provision of law, any
39 association licensed to conduct quarter horse racing may apply to
40 the board for, and the board shall grant, authority to conduct

1 thoroughbred racing as part of its racing program if all of the
2 following conditions are met:

3 (A) The thoroughbred races are for a claiming price of not more
4 than ~~five thousand dollars (\$5,000)~~ *eight thousand dollars (\$8,000)*,
5 and at a distance of four and one-half furlongs or less. The races
6 may not be stakes, allowance races, or maiden allowance races.

7 (B) More than one-half of the races on any program shall be for
8 quarter horses at a distance not to exceed 550 yards, unless the
9 consent of the quarter horse horsemen's organization is received.

10 (C) The consent of the quarter horse horsemen's organization
11 contracting with the association is obtained with respect to the
12 inclusion of thoroughbred racing.

13 (2) The quarter horse racing association conducting
14 thoroughbred racing pursuant to this subdivision shall pay to a
15 quarter horse horsemen's organization the amount specified in
16 subdivision (e) of Section 19613, and an amount for a pension
17 plan for backstretch personnel to be administered by a
18 thoroughbred trainers' organization equivalent to 1 percent of the
19 amount available to thoroughbred horses for purses. The remainder
20 of the portion shall be distributed as purses. The quarter horse
21 racing association shall also deduct the appropriate amount to
22 comply with subdivision (a) of Section 19617.2 for distribution
23 to the thoroughbred official registering agency.